

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

AMEREAM LLC,

Plaintiff,

v.

WATER TECH., INC., et al.,

Defendants.

Civil Action No. 23-02389-SDW-JRA

ORDER

January 10, 2024

WIGENTON, District Judge.

Before this Court is the Report and Recommendation (“R&R”) entered on November 29, 2023, by Magistrate Judge Jose R. Almonte (“Judge Almonte”), (D.E. 36), recommending that the motion to remand this case to state court be granted pursuant to the forum selection clause contained in the parties’ contract. The forum selection clause states that certain disputes “shall be resolved through (a) an alternative dispute resolution mechanism selected by [Ameream], which may include arbitration to be conducted in Bergen County, New Jersey, or (b) by the United States District Court of New Jersey, or the Superior Court of the State of New Jersey, with venue in Bergen County.” This Court has reviewed the reasons set forth by Judge Almonte in the R&R and is also in receipt of Defendants’ objections to the R&R and Plaintiff’s response. This Court finds that the contract is clear and unambiguous. It was Ameream’s choice of forum for dispute resolution and it chose the Superior Court of the State of New Jersey, Bergen County. Based on the foregoing, and for good cause shown, it is hereby

ORDERED that the R&R of Judge Almonte, (D.E. 36), is **ADOPTED** as the conclusion of law of this Court and this matter is hereby **REMANDED**.

SO ORDERED.

/s/ Susan D. Wigenton
SUSAN D. WIGENTON, U.S.D.J.